

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE



Jonathan Leite,
Plaintiff

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v.

Civil No. 15-cv-00280-PB

Matthew Goulet *et al.*,
Defendants

AFFIDAVIT OF ELMER VAN HOESSEN

I, Elmer Van Hosen, upon oath do hereby depose and state as follows:

1. I worked for the New Hampshire Department of Corrections at the Northern New Hampshire Correctional Facility ("NCF") from 1991 to September 2012. I make this affidavit based on my personal knowledge.

2. I served as the assistant shift commander for the first shift on August 24, 2012. In that role, I was involved in a count of the inmates in the facility which was conducted at or around 7:05 a.m. At around 8:00 a.m., I made rounds of the interior of the facility, which do not occur at any set time. With the exception of my entire facility round at about 8:00 am, I did not participate in any other rounds of the upper housing units (E, F, G, and H) on August 24, 2012.

3. As assistant shift commander, I did not work the NCF visiting room on August 24, 2012 and, therefore, I did not participate in post-visit searches of inmates on that date, nor did I escort an inmate to the visiting room as that was not practice, policy or procedure in effect in August of 2012.

4. My job responsibilities on August 24, 2012 also did not involve monitoring video of F-block, and to my knowledge I did not view any video of F-block on August 24, 2012.

5. At no point on or prior to August 24, 2012 was I informed by an inmate Leite or any other individual that Mr. Liette was at risk of an assault or any other harm. Had there been information known relative to a safety issue the inmate whose safety was known or believed to be in jeopardy would have been offered protective custody.

6. I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Date: October 10, 2017

s/Elmer Van Hoesen

Elmer Van Hoesen